

BEFORE: JAMES ORENSTEIN DATE: 2/11/2005
UNITED STATES MAGISTRATE JUDGE
TIME: 1:30 p.m.

DOCKET NO.: CV 04-3076 ASSIGNED JUDGE: LDW

CASE NAME: EEOC v. Comprehensive Benefits Consultants

CIVIL CONFERENCE

Initial _____ Status X Settlement _____ Pretrial _____
Other: _____

APPEARANCES: Plaintiff Monique Joy Roberts, Nora Curtin
Defendant Brian S. Sokoloff

SCHEDULING:

1. The status conference previously scheduled for February 22, 2005 is cancelled.
2. The next pretrial conference will be held on May 23, 2005, at 9:30 a.m.

THE FOLLOWING RULINGS WERE MADE: (1) Defendant will respond to plaintiff's Document Request ("DR") 1 with the relevant personnel files. (2) Plaintiff's request to compel production of defendant's contracts with Phoenix and Guardian (DR 14) is GRANTED. (3) Plaintiff's request to compel production of tax records (DR 16) is DENIED. (4) Plaintiff's request to compel further responses to Interrogatories 15-16 is DENIED. (5) Defendant's application to compel production of documents that continue to be subject to a claim of privilege or to compel further clarification of the privilege log is DENIED in light of the information in plaintiff's counsel's letter of February 10, 2005. (6) Defendant's request for authorizations for the release of records held by the described potential witnesses (DR 7) is GRANTED, subject to the parties agreeing on an appropriate protective order. (7) Defendant's request for cell phone and email information is resolved as follows: (a) The cell phone records will be subpoenaed and defendant's counsel will identify, by name or telephone number, the relevant information being sought therein; plaintiff's counsel will provide redacted copies of the records showing that relevant information. (b) The plaintiff will provide all relevant emails as requested; defendant's application to subpoena emails from the service provider is DENIED without prejudice to renew if there is reason to believe that such a subpoena will lead to the discovery of admissible evidence not otherwise available. (8) The defendant's remaining requests to compel discovery are denied on the understanding that plaintiff will supplement its responses to the requests at issue notwithstanding the objections it has previously raised and without waiving those objections.

SO ORDERED

/s/ James Orenstein
JAMES ORENSTEIN
U.S. Magistrate Judge